

REMARKS

Reconsideration And Allowance Are Respectfully Requested.

Claims 1-20 are currently pending. Claims 6, 7, 8, 11, 12, and 14 have been amended. No new matter has been added. No new claims have been added. Reconsideration is respectfully requested.

The gist of the present invention as set forth in the broadest claim, claim 1, comprises primary and secondary storage containers, wherein the secondary storage container moves within the primary storage container, in retracted and extended positions, respectively, wherein a plurality of aligned openings are incorporated into the surfaces of the primary and secondary storage containers so that when they are aligned, implements may be inserted therein for storage purposes.

The examiner cites Meehan (U.S. 5,192,019) to reject claims 1-5, 13, 15-20 under U.S.C. § 102 (b) as being anticipated. The examiner contends that Meehan shows nested containers (11, 12) with holes (31, 26) that are aligned to accept an implement (51). The examiner goes on to state that the holes are broadly slots. What the examiner fails to understand is that the implement of Meehan is a **fastener** including a head (51) and pair of foldable or spreadable legs (52, 53). When the desired length of the receptacle has been achieved, with the aligned bores being arranged therealong, the fastener is inserted into the bore and the legs of the fastener are spread, thereby locking in the desired extension length for the assembly arrangement. [Column 4, line 16-27] This in no way, shape or form can be construed to be an implement which is stored in the container assembly claimed by the applicant. The purpose of the assembly of the primary and secondary storage containers is to store implements until they are ready to be used. The implements that are stored do not serve to hold the assembly together; rather, they are the object of the assembly, namely the materials or implements that are going to be stored in the container for subsequent use. In Meehan, the fastener is part of the structure, without which, the Meehan structure would not be in a locked mode and would therefore be unstable. What Meehan's assembly is used for is to store magazines at a point-of-

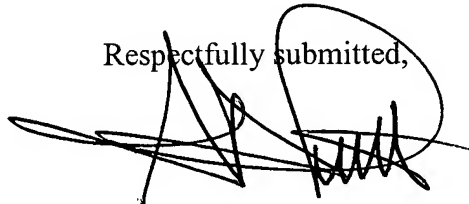
purchase display. Nowhere does Meehan teach an expandable storage holder for storing implements through aligned openings in the container. Indeed, it would be the magazines of Meehan that would be the “equivalent” of the implements of the subject claims, not the fastener.

As to amended claims 6, 7, 8, 11, 12 and 14, applicant has rewritten these claims in independent form including all of the limitations of the base claim and any intervening claims, in accordance with the examiner’s suggestion, and accordingly, these claims are in condition for allowance.

CONCLUSIONS

Based upon this Amendment, amended claims 6, 7, 8, 11, 12 and 14 are in condition for allowance. Furthermore, based upon applicant's arguments contained hereinabove, pending claims 1, 2, 3, 4, 5, 9, 10, 13 and 15-20 are also in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Arnold D. Litt', is written over the text 'Respectfully submitted,'.

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